(b) The first sentence of section 106 of such Act (31 U.S.C. 851) is amended to read as follows: "A report of each such audit for a fiscal year shall be made by the Comptroller General to the Congress not later than January 15 following the close of such fiscal year (and a report of each audit for a calendar year shall be made by the Comptroller General to the Congress not later than July 15 following the close of such calendar year)."

SEC. 3. The amendments made by this Act shall apply with respect to calendar years beginning on or after January 1, 1964; except that the General Accounting Office, in conducting its audits of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation for the calendar year 1964, shall include the period from July 1, 1963, through December 31, 1963.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF CONCESSION POLICIES

The Clerk called the bill (H.R. 5886) relating to the establishment of concession policies in the areas administered by the National Park Service and for other purposes.

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

VALIDATING PER DIEM ALLOWANCES TO THE COAST GUARD

The Clerk called the bill (H.R. 11255) to validate certain payments of per diem allowances made to members of the Coast Guard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all duly authorized payments of per diem allowances made to members of the Coast Guard who served in the precommissioning detail for the Coast Guard Reserve Training Center, Yorktown, Virginia, from March 8, 1959, to July 2, 1959, are validated. Any member or former member who has made a repayment to the United States of any amount authorized and so paid to him as a per diem allowance is entitled to have refunded to him the amount so repaid. No person who received per diem payments referred to in this section is entitled to receive quarters or subsistence allowance in addition to the validated per diem payments for the same period.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve authorized certifying officers of the Coast Guard from accountability or responsibility for any duly authorized payments described in section 1 of this Act, and shall allow credits in settlement of the accounts of those officers for duly authorized payments which are found to be free from fraud and collusion.

SEC. 3. Appropriations available to the Coast Guard for operating expenses are available for payments under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

FEDERAL PARTICIPATION IN URBAN RENEWAL

(Mr. O'HARA of Illinois asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include the statement by the Chicago Association of Commerce and Industry regarding Federal participation in urban renewal. It reflects the differences in attitude and position of the U.S. Chamber of Commerce and the local chambers that are close to the local scene and acquainted with the conditions and needs in our cities.

The fact that the Chicago Association of Commerce and Industry, foremost among local chambers of commerce, so strongly takes issue with the Chamber of Commerce of the United States is most significant. I urge the closest and most thoughtful reading by my colleagues of the statement of the Chicago Chamber, which is based upon the principle that "what is good for the community is good for business" and that urban blight, if unchecked, would "stifle the commercial and industrial vitality of communities."

The statement follows:

STATEMENT BY THE CHICAGO ASSOCIATION OF COMMERCE AND INDUSTRY REGARDING FEDERAL PARTICIPATION IN URBAN RENEWAL

The Chicago Associaion of Commerce and Industry opposes at this time the stand taken by the Chamber of Commerce of the United Sttaes in urging action by member companies and associations to bring about the termination of Federal parctiplation in urban renewal and public housing programs.

While agreeing with the long-range ideal of restoring to States and local communities responsibility for urban renewal, it is felt that such action is premature until means are devised for restoring to local governments the financial resources for carrying out urgent and continuing programs of redevelopment without disruption. The fact is that Federal invasion of the tax field has diminished local taxing sources to a point where continuation of Federal grants today are essential until such time as a major realinement of taxing powers is accomplished.

As the business voice of the Metropolitan Chicago area, the Chicago Association of Commerec and Industry recognizes a dual responsibility to the community:

1. For promoting commercial and industrial growth of the area, and

2. For helping create a better community for all who live and work in the area.

These are viewed as inseparable because what is good for business is good for the community, and what is good for the community is good for business. It is recognized that Chicago's problems are fundamentally the same as those facing virtually every one of our Nation's 212 metropolitan areas which today contain over two-thirds of America's population.

Since World War II, despite high levels of economic activity, no problem facing the American city has presented a greater challenge than neighborhood deterioration and encroachment of blight, directly or indirectly afflicting the vast majority of our citizenry. If unchecked, urban blight stifles the commercial and industrial vitality of communities. It impedes flow of private funds and expansion of free enterprise by depressing the optimism confidence required for continued capital investment. It demoralizes civic pride of urban residents and creates breeding grounds for crime and juvenile delinquency. It compounds the staggering burden of increasing costs of municipal services while at the same time diminishing local government's financial resources by reducing assesed property valuations and the local tax base.

On the other hand, money spent on urban renewal is a proven catalyst which stimulates private enterprise and attracts further investment by private sector of the economy, contributing toward winning the war on poverty and increasing total employment. The largest percentage of the urban renewal dollar, public and private, goes into labor.

Chicago was a pioneering city which, through positive business and civic leadership working in harmony with government, developed effective legislative tools and workable programs to arrest the ravages of urban decay. No one can question the dedication of the philosophy of free enterprise by Chicago's outstanding leaders of commerce, industry and finance such as Remick McDowell, chairman of the Peoples Gas Light & Coke Co., and the late Holman D. Pettibone, longtime director of the U.S. Chamber, former president of the Chicago Association of Commerce & Industry and chairman of the board, Chicago Title & Trust Co., who labored tirelessly to develop practical approaches toward solving the threat of neighborhood blight to America's accelerating urbanization. It was through their keen judgment, businesslike realism, and facing of facts rather than idealistic delusions that there emerged workable, rather than theoretical, devices such as land clearance and community conservation laws which today are rejuvenating Chicago and over 600 other cities in America. Passing over sociological benefits and speaking from purely a dollars and cents standpoint, the mere economic value of urban redevelopment has justified itself many times over. In Chicago, for example, tax yields from recent projects have more than doubled. Chicago's redevelopment program already has added over a hundred million dollars in new assessed valuation, broadening the tax base while improving living conditions and spurring economic growth.

Citing but one of many case studies, which have been duplicated in cities throughout the land, Chicago's Hyde Park-Kenwood community conservation program, the Nation's first such comprehensive plan of urban renewal, is costing $36,700,000 in Federal and local public funds. This program, however, will result in a total private investment of nearly $200 million by property owners and institutions in renovation of existing properties and new construction. A bleak picture of slum envelopment 10 years ago has been dramatically transformed through clearance of pockets of blight, redevelopment, and citizen participation in creating a wholesome environment that will preserve most of the private properties through remodeling and rehabilitation. A recent survey by Chicago Mortgage Bankers Association showed that sales prices of older homes in this neighborhood have risen an average of more than 25 percent in the past 6 years.

Had termination of Federal participation in urban renewal prevailed without provision for alternative methods of generating the "seed money" necessary to attract private investment, this striking success story never could have been achieved.

The Chicago Association of Commerce & Industry is not unmindful of the obligation of States and local governments for carrying their share of responsibility for financing urban renewal. It is hoped that local governments will eventually be able to assume full responsibility.

The Chicago Association of Commerce & Industry's position on urban renewal does favor:

(a) Continuation of the present Federal sharing of local urban renewal costs at this time.

(b) Such Federal grants only where these are part of a comprehensive urban renewal plan and of an overall plan for the city.

(c) Plans which encourage private enterprise to invest in the redevelopment of cleared lands.

(d) Plans which stimulate the entire community to upgrade living standards through private development and private financing.

(e) Continued Federal provisions for low-rent housing for families displaced by public works projects, code enforcement, and other public actions.

U.S. MILITARY SITUATION IN SOUTHEAST ASIA

(Mr. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FORD. Mr. Speaker, over the weekend I read and heard the news accounts of the deteriorating U.S. military situation in southeast Asia. We on the Defense Appropriations Subcommittee have been concerned about these serious problems for a long time and have been urging the executive branch to develop firmer policies and strategies for that area of the world and our national security. I therefore was first encouraged upon hearing of the meeting in Honolulu of the heads of the Department of Defense and Department of State for the purpose of developing future plans. Then I noticed a headline in the Washington Post on Saturday which read, "United States Is Attracted by Poland's Plan for Laos Parley," which I find extremely disturbing.

The article went on to say that Poland proposed a six-nation conference made up of Britain, the Soviet Union, Poland, India, Canada, and representatives of the leftist, neutralist, and rightist factions in Laos' coalition government. It went on to say the United States and Communist China would be excluded.

Mr. Speaker, first of all history has shown a plan offered by a Communist nation must be treated with gravest suspicion. In this case particularly since the chief culprit who brought about the critical condition in Laos was Poland. Our U.N. representative, Mr. Stevenson, clearly stated this as recently as last week in a speech before that body when he said: "This machinery—the Geneva accords—has been persistently sabotaged by the Communist member of the International Control Commission, who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area and thereby undermining support of the Souvanna government." In view of the past behavior of Poland how can we not seriously question the intent of any proposal from that quarter?

Secondly, by our Government not being a member of this Conference, we would not be in a position to present and defend our proposals. We would subsequently be under extreme pressure to accept any solutions which such a conference would develop. Considering the makeup of the conferees we would run a grave risk that the solutions would not be in the best interests of the United States or at best so weak that they would only serve to deter us from taking proper action in a timely manner until it would probably be too late.

I also strongly object to the inference that is implied by the condition that the United States and Communist China are to be excluded from the Conference. Is it the Johnson administration's policy to equate our country with Communist China in our position and role in southeast Asia? Leaving us both out of the conference apparently is supposed to even things up. The administration has been weak, ineffectual, and misguided in many areas of our foreign policies, but if President Johnson were to accept this condition, it would be a new low in diplomacy from the U.S. point of view.

Thirdly, in view of the promises and commitments to the Laosian people and the world, we must not allow ourselves to be maneuvered into an impossible position. President Johnson on April 20 of this year made a speech relative to southeast Asia in which he stated:

> To fail to respond to these realities would reflect on our honor as a nation, would undermine worldwide confidence in our courage, would convince every nation in south Asia that it must now bow to Communist terms to survive.

I agree with the statement and strongly submit that we cannot run away from our obligations and hide behind some synthetic or superficial solution which would presume to relieve us from the responsibility of making a difficult and possibly unpalatable decision.

Mr. Speaker, Congress must exert every effort to urge the Executive to seek a just and honorable solution for southeast Asia and give our assurance that we will back up any decision based upon just and honorable terms, no matter how difficult they may be.

TO REFORM THE IMMIGRATION, NATURALIZATION, AND REFUGEE LAWS OF THE UNITED STATES

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes.

(Mr. LINDSAY asked and was given permission to revise and extend his remarks.)

Mr. LINDSAY. Mr. Speaker, I and several of the Members of the House are today introducing a comprehensive revision of our immigration, naturalization, and refugee laws. For too long America's immigration and naturalization laws have, sadly and unnecessarily, conflicted with our national ideals. American history is an impressive testament to the 40 million men, women, and children who, crossing the oceans in search of a better life, helped transform an empty continent into a powerful bastion of democracy and opportunity. All aspects of our national life—politics, religion, commerce, and the arts—have been molded by this, the greatest folk migration in history. America has done much for the immigrant; the immigrant has done even more for America.

Yet our immigration policies reflect both a xenophobia and an unnecessary rigidity which are neither sensible nor becoming. The trouble has little to do with the total volume of quota numbers—the volume of immigration into the United States. This is not the issue. The problem will not be solved by vast numbers of new admissions. But the problem has everything to do with basic concepts. As long as the quota system is based on national origins it will be a source of pain and of shame. And it takes on an element of the ridiculous when one considers how easily it can be corrected.

As to the specific allocation of the quota between countries, the law does not make much sense. A high proportion of those who most want to come to America and who would be of most benefit to us are ineligible. A very few countries are given high quotas which they do not use. Other countries with vastly larger populations and whose people have much to offer the United States are given tiny quotas. The comparison right away puts in question the honesty of the quotas.

The law does illogical things like granting only conditional citizenship to naturalized citizens. This works enormous and illogical hardships, sometimes quite by accident.

The law makes no provision for emergency world refugee problems, such as that which followed on the heels of the October 1956 revolt in Hungary.

Now let us examine briefly the history of the present law, the McCarran-Walter Act. The general lines of present American policy were laid down in the years just after 1918. Prior to World War I all laws restricting immigration into the United States were qualitative in character; that is, they excluded only persons who failed to pass certain minimal tests of health, literacy, and good conduct. Thus the quota law of 1921 and more importantly the Johnson-Reed Immigration Act of 1924 represented a drastic change in American policy.

The Johnson-Reed Act limited the total number of immigrants who could enter in the United States in any one year to 150,000 and also established the national-origins quota system. This system provided that the annual quota for any nationality should bear the same ratio to 150,000 as the number of inhabitants of the United States in 1920 of that nationality bore to the total number of "inhabitants of the United States in 1920." The purpose of the act was to freeze the then-existing national structure of the American population. It went further and defined "inhabitants of the United States in 1920" so as to exclude "descendents of slave immigrants; that is, almost the entire Negro population. The Johnson-Reed Act, with its built-in bias against the Southern and Eastern Europeans and nonwhites from Asia and Africa, remains to this day the basic American immigration statute.

The law has, however, been amended and modified from time to time. The most important of these changes took

place in June 1952 with the passage, over President Truman's veto, of the Immigration and Nationality Act of 1952, generally known as the McCarran-Walter Act. This act codified in one comprehensive statute the multitude of immigration and nationality laws which had been passed by 1952. It generally retained and perpetuated the features of earlier statutes which fixed nationality quotas and limited annual immigration. Most importantly, and most unfortunately, it retained the national origins system intact as the basis for quotas. The 1952 act made slight adjustments in the ban against Asian and Pacific peoples, eliminated discrimination between the sexes, and gave quota preferences to skilled aliens.

The Johnson-Reed Act, as modified by McCarran-Walter, still governs American immigration law. The chief errors, fallacies and weaknesses of the early laws remain on the statute books. They are mainly errors in concepts and attitudes. The total quota figure is not so important; no country's problems, neither the sending country's nor the receiving country's, are going to be solved by vast new numbers. But even here weaknesses are apparent because law and reality have drifted apart. During the past 10 years about 1,500,000 people could have entered the United States under the national quota system. In fact 2,500,000 persons entered the country. Of these only about 1 million came in under the regular quotas. All of the remaining 1,500,000 entered under a variety of special regulations, arrangements, and legislative enactments. The fact that these special arrangements have been made implies deep dissatisfaction with the existing law; the fact that they have been necessary suggests that the time is ripe for reform.

In their 1960 platforms both parties pledged the adoption of positive immigration programs aimed at rectifying inadequacies in our present policy. Senator Kennedy, campaigning for President in 1960, repeatedly referred to immigration as a top priority issue. His suggestions for change, as President Eisenhower's before him, have largely gone unheeded.

Congress has been content to tinker with the immigration laws. The edges have been touched up from time to time, but nothing has ever been done to the center. The reason, I think, is indifference. But this may be changing as more Americans become aware of the injustice of the national origins system and of its deleterious effect on foreign policy. It must be remembered that immigration policies and procedures are often the first and only personal contact that peoples of other countries have with the United States.

Finally, Members of Congress themselves are growing weary of having to cope with an ever-increasing volume of private immigration legislation.

In devising reforms in our quota system, it should be recognized that a return to the wide open, unrestricted policy of pre-World War I is out of the question. American immigration policy cannot solve the problem of world overpopulation. When our Nation was young and underpopulated we could absorb an unlimited number of immigrants. This is not the case today. Our rate of economic growth lags behind the rate of growth of our population. Chronic unemployment would be aggravated by a return to the immigration policies of a less complicated age.

But there are certain basic changes in the law that can and should be made. In these remarks I would like to discuss the principal ones that are contained in this omnibus bill. They fall into four broad categories:

First. Revision of the national origins quota system.

Second. Preference for parents of U.S. citizens.

Third. Repeal of the expatriation provisions for naturalized citizens.

Fourth. Provision for relief of world refugee and Communist escapee problems.

There are other provisions of this bill but they are more technical and I will not take up the time of the House in discussing them. They will be included in a section-by-section analysis I have prepared and which I will insert in the RECORD following these remarks.

I. REVISION OF THE NATIONAL ORIGINS QUOTA SYSTEM

Without reopening the doors of the United States to massive immigration, or threatening job security, the first reform should be an overhaul of the national origins quota system, which bluntly discriminates against southern and eastern Europeans and nonwhites from Asia and Africa.

I propose that this built-in irritant be removed, first, by rewriting the formula to establish instead an annual total quota computed on the basis of the total U.S. population, according to the 1960 census, not just the white population. This would result in an annual quota of about 300,000. The change in actual numbers coming to the United States would be relatively small—about 50,000 more—since the present quota of 154,000 is actually exceeded by 100,000 through special legislation. But the change would greatly reduce hardships and uncertainties by eliminating the irrational and capricious combination of the present quota system and the special measures necessary to circumvent it.

In the projected quota expansion, the additional numbers would be distributed among the several quota areas in proportion to the actual immigration into the United States chargeable to each area between July 1, 1920, and the date of enactment of this act. Thus, quota distributions would more accurately reflect actual patterns of immigration since 1920. This moderate adjustment would cause no hardship for the foreign beneficiaries of the present law, since the big quota countries for years have not used their assigned quotas.

Second. Unused quota numbers should be pooled and used on a first apply, first served basis, subject, of course, to the usual preference categories: Blood relationship, skills needed in the United States, and so forth. An annual average of about 50,000 available quota numbers are unused. These are quotas primarily allocated to the United Kingdom, Ireland, Sweden, and other northern European countries. Almost 35 percent of the available quota numbers for these countries are unused. This must be compared to countries like Greece and Italy, which have over 100,000 pending visa applications for quotas numbering 308 and 5,660 respectively. The situation is equally difficult for countries like Israel and Japan.

To rectify this imbalance, the unused annual quota numbers should be placed in a general quota pool which will be available for allocation on a first apply, first served basis. This would be a very major step towards the total elimination of the national origins system. Admittedly, this part of my proposed revision could result in a substantial number of new immigration numbers. If thought too high, the Congress may, of course, place a limit—not in excess of X number. This does not present a difficult problem. The main point is to establish a general quota and thus to get away from the national origins system and the national quota. A pooling of unused quotas would be a substantial move in this direction.

Third. Minimum quotas under this bill would be raised from 100 to 200.

II. PREFERENCE FOR PARENTS OF U.S. CITIZENS

My bill would include in the nonquota category parents of U.S. citizens. This nonquota status is now accorded to a child or spouse of a citizen. The family relationship is the most important standard of all in this problem of priorities in immigration, and parents of U.S. citizens should be included in the high priority list.

III. REPEAL OF THE EXPATRIATION PROVISIONS FOR NATURALIZED CITIZENS

Mr. Speaker, until the Supreme Court spoke a week ago the effective law provided that naturalized citizens could be deprived of their citizenship because of sustained residence abroad in excess of 3 years in their country of origin and 5 years elsewhere. Naturalized citizens should not be encumbered by penalties which make them second-class citizens of the United States. Simply by a change of abode for a period of time, a naturalized citizen is conclusively presumed to have renounced his allegiance to the United States. This provision should be repealed. It is neither desirable nor necessary. It is argued by some that the provision is needed to control the case of the alien who seeks U.S. citizenship that he may use it abroad to further personal business or other adventures that could in fact be detrimental to the United States. But this is the rare case which can be controlled by other provisions of the law. What the expatriation provision does do, besides perpetually hang heavy over every naturalized citizen's head, is to penalize the little person who is a proud U.S. citizen, is innocently abroad because of employment or family obligations, and cannot afford to run home to reestablish the time period. It does not catch the "jet-set" wheeler-dealer operator. He is too well financed. The wheeler-dealer case can be caught, in fact, under section 340(d) of the Immigration and Naturali-

zation Act. This section establishes a procedure, with full court review, for revocation of naturalization where it is discovered that there was, in effect, "fraud ab initio"—fraud in the inception. This section can, and has been used, to catch the hard-core case of the manipulator. Furthermore, it provides proper and fair procedures, which the expatriation provisions do not. The matter is now settled however as the Supreme Court has held this particular section unconstitutional.

There is another provision in the present law which any citizen, born or naturalized, may run afoul of even accidentally. The law provides that if a citizen votes in a foreign election there is an automatic loss of citizenship. Extenuating circumstances are not considered. Why should this be? A case recently came to my attention, for example, where a born American citizen was notified that our Government was commencing proceedings for loss of citizenship because she voted in a minor Australian election. This person was the wife an an Australian who for a long time suffered a lingering sickness and finally died. Under Australian law, property owners are required to vote—there is a penalty for not voting. The lady held their house in her name because of her husband's illness. By casting a ballot in a local election she was complying with Australian law. She had no intent to declare allegiance to Australia, nor to deny U.S. citizenship and, in fact, had no knowledge of this provision in the U.S. immigration and naturalization law. My bill provides that a person's intent shall be considered. The State Department, I am glad to say, on final review ruled in the lady's favor, perhaps assisted in part by my intervention. The proposed change in the law will make it easier to adjust a case of this kind.

IV. PROVISION FOR RELIEF OF WORLD REFUGEE AND COMMUNIST ESCAPEE PROBLEMS

Of all immigration questions, the most explosive and the most tragic is the unsolved world refugee problem.

According to the most reliable evidence available, there are up to 10 million unsettled persons outside the Iron Curtain. In the years since World War II over 40 million human beings have been involuntarily uprooted from their homes and have crossed frontiers, artificial or traditional, in search of asylum. The tragic proliferation of refugees all over the world is one of the legacies of an era of global wars, revolutions, civil conflicts, and surging nationalist movements. Refugees are both the product of political tensions and the cause of new unrest. Wherever there is an unsolved refugee problem, there is both a tragic human situation and a potentially explosive political situation. When refugee problems are neglected—as they all too often have been—human misery abounds and political tensions are aggravated.

In the autumn of 1956, I served as the representative of the Attorney General of the United States in Austria and West Germany for the purpose of setting up the machinery under which almost 40,000 refugees from Communist tyranny in Hungary were brought into the United States. Many an early dawn I stood on the Austrian side of the bridge at Andau, walked the Hungarian border, and saw courageous freedom fighters, women and children, come over the freezing swamps and canals. It was a sight and experience that I shall never forget. Anyone who has witnessed the chaos, the fear, the suffering of human beings in mass flight from their homeland can never again think of the plight of uprooted peoples as anything less than an urgent and compelling demand on individual conscience and human compassion.

In the autumn of 1960, I had the opportunity in the course of a world tour of refugee camps to study the living history of four significant concentrations of refugees; Arab refugees in the territories around Israel, Tibetans in India, both Moslem and Hindu refugees in India and Pakistan, and Chinese in Hong Kong.

There in wretched camps—in bitterness and often in deprivation—crowded individuals, children and adults, exist without hope in a world they cannot understand, without the conditions of human dignity which we Americans have come to accept as a basic part of our birthright.

To any refugee problem, there are three possible solutions: repatriation in the country of origin, integration in the country of asylum, or resettlement elsewhere. Some combination of integration, resettlement, and repatriation is essential in meeting all refugee problems.

In suggesting lines of action to alleviate the world refugee problem, we should, wherever possible, encourage programs of relief and rehabilitation under the auspices of the United Nations and through the machinery and resources of the International Committee on European Migration—ICEM—which has done excellent work with European migration problems. The United Nations and ICEM should expand their mandates to encompass all world refugee problems instead of limiting themselves to the declining problem of Europe.

I would like to pay credit to the remarkable work that has been done by voluntary agencies in each of these areas. They have accomplished miracles in the distribution of food and supplies, transportation and relocation.

The enactment of Public Law 87-510 in 1962 enabled the United States to continue its participation in certain refugee programs to provide assistance to refugees after they have arrived in the United States. It authorized the President to use up to $10 million of funds to meet unexpected refugee developments which are outside the scope of regular appropriations.

This was helpful legislation but again, as in the case of stopgap immigration measures, piecemeal temporary solutions are being sought for permanent, festering problems. The refugee problem should be considered as an integral and essential facet of overall immigration policy.

To make some headway toward meeting this tragic and tension-ridden world problem, my proposed legislation moves away from the piecemeal approaches of the past. The legislation first tackles the knotty problem of definition. It defines "refugee" to mean any alien who because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee from any Communist territory or from a country of the Middle East. The definition also includes persons who are victims of war, political upheaval, or natural calamity who are unable to return to their former homes.

The bill then empowers the President in emergencies such as the Hungarian revolt, declared so by proclamation, to parole into the United States 10,000 refugees. After a period of time, these persons would become eligible to apply for permanent residence. Congress at all times would receive detailed reports and would retain veto power over all admissions.

Apart from emergency situations, 20,000 special refugee visas would be authorized for a 2-year period in order to relieve some of the pressure on existing unsolved refugee concentrations. Up to 10,000 of these special visas would be available for unsettled hard-core refugees now in refugee camps under the auspices of the United Nations High Commissioner for Refugees. Finally, the bill authorizes the Secretary of State to make limited grants to public and private agencies in the United States for the purpose of financing the resettlement of these refugees in the United States. Our country can scarcely press other countries for meaningful solutions to world refugee problems without offering to accept a fair share itself. Some of these unsolved refugee concentrations are explosive and it is to our own interest to remove the fuse. We have an obligation, in advancing an overall resettlement plan, to participate in such a plan by offering refuge within our own country to a reasonable number of refugees. By so doing, we will let the world know of our desire to bring this problem closer to a solution and we will be giving notice that America's belief in freedom and humanity remain enduring tenets of our democratic credo.

Mr. Speaker, I belive that this omnibus legislation that I and other Members introduce today is the best omnibus reform of the McCarran-Walter Act that has yet been offered. It is comprehensive, progressive and reasonable; it should command wide support; and it can pass. I commend it to all of my colleagues and especially to the Subcommittee on Immigration of the House Judiciary Committee. I am not a member of the subcommittee but I am of the full Judiciary Committee and I pledge my full and complete cooperation and support toward a result.

Mr. Speaker, if America is to live up to her ideal of freedom and justice we should move ahead in this vital area. We must correct our deficiencies, and strengthen the things in our heritage that have made us great. We must hold ourselves out to the world as a proud and unafraid people who care deeply about basic liberties and stand for justice and

reason so far as these noble goals are attainable in this troubled world.

Mr. Speaker, to save Members the trouble perhaps of reading a lengthy and complicated bill, I ask unanimous consent to insert at this point in the RECORD a detailed section-by-section analysis of this bill, which will explain as simply as possible each provision of the legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SECTION-BY-SECTION ANALYSIS OF H.R. 11446, A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT, AND FOR OTHER PURPOSES

The first section of the bill provides that the act may be cited by its short title (the "Immigration and Nationality Act Amendments of 1964").

The remainder of the bill is divided into eight titles, as follows:

Title I—General.

Title II—Quota system.

Title III—Changes liberalizing visa requirements for nonimmigrant visitors to the United States.

Title IV—The admission of persecuted peoples.

Title V—Changes in provisions relating to ineligibility to receive visas and exclusion from admission.

Title VI—Provisions relating to entry and exclusion; deportation; adjustment of status.

Title VII—Loss of nationality.

Title VIII—Miscellaneous.

TITLE I—GENERAL

Section 101—Definitions: Section 101(a) of the bill amends section 101(a)(27)(A) of the Immigration and Nationality Act (hereinafter, the act), which grants nonquota status to spouses and children of U.S. citizens, to extend nonquota status to parents of U.S. citizens as well.

Section 101(b) of the bill amends section 101(a)(27)(C) of the act to extend nonquota status to all natives of independent Western Hemisphere countries.

Section 101(c) of the bill amends section 101(a)(33) of the act, by deleting language governing the meaning of the term "residence" as it is used in sections 350 and 352 of the act. This is a conforming amendment to section 701(a) of the bill which repeals section 350 and 352 of the act.

Section 102—Powers and duties of the Secretary of State: This section of the bill amends section 104(a)(1) of the act, relating to the powers and duties of the Secretary of State in administering the act and all other immigration laws. Under existing law the Secretary's authority extends to the powers, duties, and functions of diplomatic and consular officers of the United States, but not to the granting or refusal of visas. This section of the bill would extend the Secretary's authority to cover the powers, duties, and functions of consular officers relating to the granting or refusal of visas.

TITLE II—QUOTA SYSTEM

Section 201—Determination and allocation of annual quota: Section 201(a) of the bill revises the language of section 201 of the act, making the following changes in the law.

The annual quotas of quota areas would be equal to one-sixth of 1 percent of the entire 1960 population of the United States, rather than one-sixth of 1 percent of the white population of continental United States in 1920 as under existing law. This would change the size of the aggregate annual quotas, which are currently set at 156,987 to approximately 300,000. The minimum quotas would be raised from 100 to 200.

Each quota area would continue to receive the quota numbers it receives under existing law. The additional quota numbers created by the bill, after deducting those necessary to increase the minimum quotas from 100 to 200, would be distributed among the several quota areas in proportion to the actual immigration of immigrants chargeable to each quota area between July 1, 1920, and July 1, 1960.

The Secretary of Labor would be added to the list of officials (Secretary of State, Secretary of Commerce, and Attorney General) who are responsible for determining annual quotas for quota areas. The new quotas would be determined as soon as practicable after enactment of the bill and would take effect on the first day of the fiscal year, or next half fiscal year, following the expiration of 6 months after the date they are proclaimed by the President.

Section 201(e) of the act would be amended to reflect the effect of section 10 of the act of September 11, 1957, which terminated the reductions in annual quotas under the Displaced Persons Act of 1948.

The bill would add a new subsection (f) to section 201 of the act providing for the pooling and redistribution among oversubscribed quota areas of quota numbers unused at the end of a fiscal year. The pool would be on a worldwide basis, no distinction being made on an area or country basis, and would be allocated on a first-apply, first-considered basis. In other words, immigrants with the earliest registration date on quota waiting lists would be the first to receive immigrant visas from the worldwide quota pool. The preferences would apply to those issued from the pool. Quota numbers from the pool which are not used within a year after they are proclaimed would lapse.

Section 201(b) of the bill amends the heading for section 201 in the table of contents of the act.

Section 202—Determination of quota to which an immigrant is chargeable: This section of the bill abolishes the Asia-Pacific triangle provisions of the act and eliminates the maximum limitation of 100 which applies to subquota areas.

Sections 202(a)(5) and 202(b) of the act contain provisions regarding the quota chargeability of aliens who are attributable by one-half ancestry to peoples indigenous to the Asia-Pacific triangle. These provisions would be abolished by section 202 (a) and (b) of the bill. In addition section 202 (a) of the bill amends the language contained in 202(c) of the act, relating to the quota chargeability of aliens born in a colony or dependent area, and places it in 202(a)(5). As amended, the existing provision limiting the number of persons chargeable from colony or dependent area to 100 a year would be eliminated, thus making the entire quota of a governing country available to persons chargeable to its subquota areas.

Section 202(c) of the bill contains conforming amendments.

Section 203 eliminates parents of citizens of the United States from the second preference category. This change conforms the act to the amendment made by section 101 of the bill making parents of such citizens nonquota immigrants.

TITLE III—CHANGES LIBERALIZING VISA REQUIREMENTS FOR NONIMMIGRANT VISITORS TO THE UNITED STATES

Section 301—Nonimmigrant visas: Section 301(a) of the bill amends section 212(d)(4) of the act to authorize the Attorney General and Secretary of State, acting jointly and on the basis of reciprocity, to allow nonimmigrants to visit the United States temporarily for business or pleasure without the necessity of having in their possession a nonimmigrant visa or border crossing identification card.

Section 301(b) would authorize medical officers of the Public Health Service and immigration officers to serve at consular posts overseas in order to examine and inspect aliens seeking to visit the United States temporarily for business or pleasure for whom the requirement of a visa or border crossing identification card had been waived.

Section 301(c) repeals a provision in section 214(b) of the act creating a presumption that every alien applying for a visa or for admission is an immigrant until he proves that he is entitled to nonimmigrnat status.

TITLE IV—THE ADMISSION OF PERSECUTED PEOPLES

Section 401—Refugee relief: Section 401 (a) of the bill amends section 212(d)(5) of the act (which grants the Attorney General authority to parole aliens into the United States) by adding a new subparagraph (B) which defines the term "refugee" as used therein, and authorizes the President, whenever he finds that a situation has arisen creating a class of refugees, to direct the Attorney General by proclamation to parole into the United States such refugees selected by the Secretary of State. The Attorney General is further authorized in the absence of a Presidential proclamation to parole up to 10,000 such refugees into the United States in a fiscal year upon selection by the Secretary of State.

Section 402—Adjustment of status of certain aliens: Section 402(a) of the bill adds a new paragraph (9)(A) to section 212(d) of the act, authorizing the Attorney General, upon application of an alien paroled into the United States under section 212(d)(5), to adjust his status to that of an alien lawfully admitted for permanent residence. If the Attorney General is satisfied that the alien has remained in the United States for at least 2 years, is a person of good moral character, and that such action is not contrary to the national welfare, safety, or security, he may record the alien's admission for permanent residence as of the date of the alien's last arrival. The Attorney General must submit a complete report to Congress in the case of each alien whose status is adjusted. Either the Senate or the House of Representatives may pass a resolution disapproving the adjustment of status prior to the close of the following session of Congress, in which case the alien will be required to leave the United States in the manner provided by law. If neither House of Congress passes such a resolution within that time the alien's status will be adjusted as of the date of his last arrival.

Section 402(b) of the bill authorizes the issuance of 20,000 special nonquota immigrant visas to refugees during the 2-year period July 1, 1964, to June 30, 1966. These admissions are to be in addition to the admission of refugees on parole under section 212(d)(5) and under the refugee fair share law provisions of Public Law 86-648.

Section 402(c) of the bill provides especially for the admission of up to 10,000 "hardcore" refugees (as determined by the U.N. High Commissioner for Refugees) as nonquota immigrants including those who are afflicted with tuberculosis. Such refugees must be otherwise admissible and their admission is to be subject to such terms, conditions, and controls, excluding the giving of a bond, as the Attorney General may prescribe in consultation with the Surgeon General of the U.S. Public Health Service.

Section 402(d) provides that, except as provided in subsection (c), an alien must meet all eligibility requirements of the act in order to be admitted as a refugee under this section of the bill.

Section 403—Issuance of visas: This section states that any special nonquota immi-

grant visas issued under the bill, with the exception of those issued under section 402(c), must follow the requirements of section 221 of the act which sets forth the general procedures to be followed in issuing visas.

Section 404—Resettlement of refugees: Section 404(a) authorizes the Secretary of State to make grants to public or private agencies in the United States to assist them in resettling within the United States needy hard-core refugees admitted under section 402(c) of the bill, including the furnishing of care and rehabilitation services. Section 404(b) authorized the appropriation of up to $2,500,000 for this purpose.

Section 405—Immigration and Nationality Act definitions: This section applies the definitions contained in section 101 (a) and (b) of the act to the administration of title IV of the bill.

TITLE V—CHANGES IN PROVISIONS RELATING TO INELIGIBILITY TO RECEIVE VISAS AND EXCLUSION FROM ADMISSION

Section 501—Pardon for crimes: This section of the bill amends paragraphs (9) and (10) of section 212(a) of the act (which declare aliens who have been convicted of or who admit having committed certain crimes ineligible to receive visas and excluded from admission) to provide that an alien shall not be so ineligible or excluded on the basis of a crime for which he has received a pardon.

Section 502—Other excludable aliens: Subsections (a), (b), and (c) of this section eliminate existing language in the act which gives controlling effect to the opinion of a consular officer or the Attorney General in determining the excludability of certain aliens.

Section 502(a) amends section 212(a)(15) of the act (which declares excludable aliens who in the opinion of the consular officer at the time of application for a visa or the Attorney General at the time of application for admission, are likely to become public charges) by eliminating language referring to the opinion of the consular officer or the Attorney General.

Section 502(b) similarly amends section 212(a)(27) of the act relating to the excludability of aliens who might be seeking entrance to the United States to engage in activities which would be prejudicial to the public interest or endanger the welfare, safety, or security of the United States.

Section 502(c) similarly amends section 212(a)(29) of the act relating to the excludability of aliens who might engage in espionage, seek to overthrow our Government by unconstitutional means, or participate in the activities of certain subversive organizations.

TITLE VI—PROVISIONS RELATING TO ENTRY AND EXCLUSION; DEPORTATION; ADJUSTMENT OF STATUS

Section 601—Inspection and deportation: Section 601(a) repeals section 235(c) of the act, which vests in the Attorney General special authority to exclude aliens for security reasons under paragraphs (27), (28), and (29) of section 212(a), on the basis of confidential information and without inquiry by a special inquiry officer.

Section 601(b) contains a conforming amendment to section 235(b) of the act, deleting a reference to section 235(c).

Section 601(c) of the bill amends section 241(a)(8) of the act (which provides for the deportation of aliens who, in the opinion of the Attorney General, have become public charges within 5 years after entry), by striking out the words "in the opinion of the Attorney General."

Section 601(d) repeals section 241(d) of the act, which applies the grounds for deportation contained in section 241 retroactively to aliens who entered the United States prior to the date of enactment of the act to events that occurred prior to such date.

Section 602—Grounds for deportation; record of admission: Section 602(a) amends section 244(a)(2) of the act (which authorizes the Attorney General to suspend deportation and grant permanent resident status to aliens who are deportable for certain of the more serious grounds specified in section 241 of the act and who have been in the United States continuously for 10 years and prove good moral character during that time), by changing the test supplied by the Attorney General in determining the effect of deportation on the alien or his family from one of "exceptional and extremely unusual hardship" to one of "extreme hardship." This amendment would apply the same test to the aliens affected as is applied to other aliens deportable on less serious grounds.

Section 602(b) repeals section 244(f) of the act which prohibits certain classes of aliens (crewmen, exchange students and professors, and natives of contiguous countries or adjacent islands) from having their deportation suspended and status adjusted under section 244 of the act.

Section 602(c) amends section 249(a) of the act (which authorizes the Attorney General to create a record of admission for permanent residence for certain aliens who entered the United States prior to June 28, 1940) by extending its applications to those who entered prior to December 24, 1952 (the effective date of the Immigration and Nationality Act).

TITLE VII—LOSS OF NATIONALITY

Section 701—Loss of citizenship; special proceedings: Section 701(a) of the bill relating to loss of nationality by a citizen of the United States for voting in a foreign election is amended to add the proviso: "if such voting in a political election or such participation in an election or plebiscite is done with the intent to renounce U.S. nationality or to acquire the nationality of a foreign state.

Section 701(b) of the bill repeals sections 350, 352, 353, 354 and 355 of the act, which provide for or relate to the loss of nationality by dual nationals and naturalized U.S. citizens and nationals.

Section 701(c) would make several changes in section 360(a) of the act, which provides for declaratory judgment proceedings for a person claiming U.S. nationality. The existing provision applies only to persons who are within the United States; as amended by the bill it is not so limited. Existing law applies only to persons who are denied a right or privilege as a U.S. national by a department, agency or official of the Government; under the bill the denial is not limited to such a Federal source. The provision presently provides only for the initiation of a declaratory judgment proceeding; as amended by the bill, judicial review under the Administrative Procedure Act would also be made available. The bill would eliminate provisions in the existing section stating that no action may be instituted if the issue of the person's nationality arose out of or is in issue in an exclusion proceeding. Finally, the existing 5-year period of limitation within which suit must be brought would be eliminated.

Section 701(d) amends section 360(c) of the act by striking out the second sentence (which provides that a final determination by the Attorney General that a person who has applied for a declaration of nationality is not entitled to admission to the United States may be reviewed judicially only in habeas corpus proceedings and not in any other manner).

TITLE VIII—MISCELLANEOUS

Section 801—Powers of immigration officers: This section amends section 287(a)(1) of the act which empowers authorized officers and employees of the Immigration and Nationality Service, without warrant, to interrogate any alien or person believed to be an alien as to his right to be or remain in the United States. As amended by the bill, the interrogation of a person believed to be an alien would have to be based on probable cause.

Section 802(a)—Statute of limitation: This section of the bill would add a new section 293 to the act providing a statute of limitation for deportation proceedings, whereby no alien could be deported by reason of conduct occurring more than 10 years prior to the institution of proceedings.

Section 802(b) contains a conforming amendment to the table of contents to reflect the addition of the new section 293 by subsection (a) of this section.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Massachusetts.

(Mr. MORSE asked and and was given permission to revise and extend his remarks.)

Mr. MORSE. Mr. Speaker, it has been 12 years since the Congress has undertaken a comprehensive revision of our immigration laws. As the gentleman from New York [Mr. LINDSAY] pointed out, we are still using population figures of 44 years ago in determining our national origins quotas. It is high time that we brought immigration laws up to date.

I have today introduced legislation identical to that filed by the gentleman from New York [Mr. LINDSAY], which would bring about the comprehensive revision we need. I want to commend my colleague from New York [Mr. LINDSAY], for the extraordinary work he has done in this field. It was his leadership and careful study that has produced the Immigration and Nationality Act Amendments of 1964.

The legislation involves an across-the-board approach which will adjust quotas to current realities, liberalize our refugee admission standards, and provide preference status for the parents of U.S. citizens. This preference status is already provided for the spouse or child of a citizen.

The gentleman from New York [Mr. LINDSAY] has presented a detailed statement of what the legislation involves. I merely want to point out the beneficial effect this bill would have on existing quotas.

Instead of gearing the quota to the 1920 census, the quota would be based on the 1960 population figures. The system would follow closely a system recommended in 1960 by former President Eisenhower. The impact on the total annual immigration would be almost to double it. Three hundred thousand people could come to our shores each year. In addition, unused quotas could be pooled and allocated on a first-come-first-served basis, subject to the usual preferences.

This will eliminate the present situation where some quotas are oversubscribed by as much as 100,000 names while others remain unused.

At the present time the United States is pursuing—as it has been for some years—a rigid policy which deprives our Nation of needed skills and talents. The

omnibus legislation I am introducing today will not do away with the desirable feaures of existing law. The usual preference categories will remain intact. What this bill will do however, is make our immigration law reflect the realities of the 1960's.

Mr. Speaker, American history is replete with examples of the important contributions made to our freedom, our culture, and our technology by those who have come to our shores. We need the skills, the talents, and the energies of immigrants no less today. In reopening the gates to those who would come to America we serve our highest traditions and elevate the quality of our civilization.

REVISION OF IMMIGRATION LAWS

(Mr. CLEVELAND (at the request of Mr. MORSE) was given permission to extend his remarks at this point in the RECORD.)

Mr. CLEVELAND. Mr. Speaker, there is a need for a revision and review of our immigration laws. The McCarran-Walter Act of 1952, which made modifications in the Johnson-Reed Act of 1924, is now outdated in some respects. Many potentially good citizens who most want to come to America are now cruelly barred from entry. Parents of U.S. citizens often find it impossible to enter the United States and join their families. Under our unrealistic quota policy of admitting aliens on the basis of national origin, some countries never fill their quotas, while others with small quotas have long waiting lists of people who want to enter the United States, often to join close relatives or to supply badly needed skills.

I applaud the efforts of Representatives JOHN LINDSAY, OGDEN REID, and others in introducing legislation to correct inequities in the current immigration laws. Let us hope that speedy and thorough consideration can be given by the Judiciary Committee to the subject of revision of our immigration laws.

As a Congressman I have been impressed by many commendable requests for admission into the United States by persons now virtually denied such an opportnuity. Some means should be established for judging each case on its merits. While the United States cannot in this day and age return to a pattern of unlimited immigration, some liberalization in existing restrictions is called for. Close relatives of U.S. citizens should be given special preference. Our immigration law should not create and perpetuate the separation of families. Persons possessing needed technological skills should be given priority regardless of their national origin. Unfilled quotas of nations sending few persons to the United States could thus be utilized.

We should also establish a policy of allowing a certain number of the world's refugees to enter the United States. Such a move would dramatize our concern for the world's refugee problem as did our acceptance of Hungarian refugees.

Through the years America has benefited from immigration. In fact, America is the story of immigration and the vital contributions of those who came to our shores and made the United States into the strong, dynamic Nation she is today. A review of our immigration and naturalization laws is urgently needed.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may extend their remarks on this subject at this point in the RECORD.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I wish to express my appreciation to the distinguished gentleman from Massachusetts [Mr. MORSE] for the excellent contribution that he has made to this important subject.

THE USE OF RED VETO IN SOUTHEAST ASIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD], is recognized for 30 minutes.

Mr. LAIRD. Mr. Speaker, in July 1962 when the declaration and protocol on neutrality in Laos was signed, I sent a letter to Secretary of State Dean Rusk in which I raised very serious questions about the wisdom of entering into an agreement under the terms contained in that document. On April 13, 1963, I stood in the well of the House and reiterated my concern when the situation was obviously deteriorating and no action or change of policy was evidenced. Now almost 2 years from my original act the evidence overwhelmingly substantiates the validity of my concern and the accuracy of my prediction.

As I stated before, Mr. Speaker, I do not ascribe to myself the faculty of prescience or foreknowledge, but the use of logic with a sprinkling of comon sense. Nor am I unique in my judgment on this matter as I know that many share these same concerns and conclusions on both sides of the aisle.

You may ask, if these thoughts are correct and so common among the legislative branch, why is it that the executive does not reach the same conclusions. This is the crux of the problem and the answer is relatively simple. The basic premises upon which the executive branch bases its decisions are different from those generally possessed by the legislative. Examples which may be cited are:

The Executive believes you can negotiate in good faith with the Communists without providing for safeguards—the legislative does not.

The Executive believes we must not exert more than a bare minimum level of military force in fear of escalation—the legislative does not.

The executive believes political and economic means will almost exclusively solve problems of aggression—the legislative does not.

The executive believes the force of world opinion generally, and particularly as expressed in the U.N., will provide sufficient leverage to deter Communist aggression—the legislative does not.

Lastly, the executive believed up until this past week that the problems of Laos, Vietnam, and Cambodia, are individual problems with little or no relation to one another—the legislative did not and does not.

Until the above premises are changed, the solutions arrived at by the Executive will always be in danger of serious error. We should not expect anything different.

An important item which I raised in my original memorandum will further illustrate why these problems develop.

In my letter to the Secretary of State, I stated that:

> The provisions of article 14 of the Declaration and Protocol appear to confer veto power on Communist Poland over the policies of the United States and all other signatory powers in relation to Laos. This I regard as a nullification of the promises of the agreement.

Assistant Secretary of State W. Averell Harriman responded for Secretary Rusk as follows:

> The general rule prescribed in that article [article 14] in the second sentence of the second paragraph is that decisions of the Commission shall be made by majority vote.

He then cited a few exceptions but indicated that:

> The Commission shall submit reports on its investigations in which differences of view may be expressed thus enabling publications of minority and majority opinions.

In brief, I was told this is not an area of concern.

On May 21 of this year, just last week, our representative to the United Nations, Ambassador Stevenson, in a speech before that body stated:

> This machinery (the Geneva accords) has been persistently sabotaged by the Communist member of the International Control Commission (Poland) who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area.

Mr. Speaker, why has it taken the Executive, or more specifically, the State Department, over 2 years to recognize that the earlier agreement with the Communists would be treated the way it has been? I can only go back to the earlier charges I have made that the basic premises relative to the problem of communism and southeast Asia are in error. What more concrete illustration can there be than yesterday's decision by Souphanouvong to withdraw his Communist Pathet Lao from the troika, thus wrecking whatever vestiges were left of a coalition Government in Laos. This proves conclusively that Communist adhere to agreements only so long as such agreements serve their advantage.

Another glaring error or rather omission by the remarks of our Executive and State Department spokesmen is relative to the role of the Soviet Union in today's situation. In the memorandum by Assistant Secretary Harriman mentioned above, he also included a paragraph which stated:

> As one of the cochairmen of the Geneva Conference, the Soviet Union bears a par-

ticular responsibility to see that the Geneva agreements are properly implemented. It is written into the agreements that "the cochairmen shall exercise supervision over the observance of this protocol and the declaration on the neutrality of Laos." (Art. 8 of the protocol.) In effect this means that the Soviet Union is responsible to see that the Communist countries particularly Communist China and North Vietnam live up to the agreements.

Mr. Speaker, in the above-mentioned speech by Ambassador Stevenson and other recent announcements by the State Department, I find no significant and strong references to this understanding as stated by Secretary Harriman. Why? Again, are we backing off from taking a firm position because of the fear of upsetting something the administration is striving for called parity or accommodation?

The view of the southeast Asian area which is also shared by the Executive states that the loss of South Vietnam will mean the loss of all southeast Asia to Communism. Further, such a loss will have grave effects upon the security of the United States and the free world. In view of these conclusions, we cannot afford a continuation of current policies. Nor can we agree to another full conference as presently being suggested by France and the Soviet Union for it would only be repeating the farce which brought us to this present condition.

I would also like to recall for my colleagues the statement made by President Johnson in February of this year in which he used the phrase "deeply dangerous game." This was considered to be a dire warning to the Communists if they continued their aggression against South Vietnam. You may remember the press corps were called and instructed about the significance and extreme importance of the words "deeply dangerous." This major offensive thrust by the administration was heard by the Communists and they responded: they stepped up their attacks; increased the number of casualties; reinstituted large-scale attacks in Laos; and made Thailand consider a more "neutral" position. What further evidence do we need to show the impotence of this administration's policies?

The meeting currently being held in Honolulu is a good first step in developing a solution to this grave situation. However, these meetings will be unproductive unless the representatives of the Executive have discarded the false premises I mentioned earlier which have been a major cause of our ineffectual policies to date.

Mr. Speaker, I sincerely hope that the administration's representatives gave serious reconsideration to the premises on which our policies have been based before entering into discussions in Honolulu.

Mr. Speaker, I ask unanimous consent to include in the RECORD the letters I referred to.

The letters follow:

JULY 24, 1962.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: It is, of course, no secret that grave doubts and deep concern are being expressed in many quarters over the present Lao situation. I, too, as a member of the Defense Appropriations Subcommittee, am deeply troubled. I have been for many, many months.

On the basis of information recently made public concerning the declaration and protocol on neutrality in Laos, the only possible conclusion one could draw is that Laos is being surrendred to the Communists, as Poland was at Yalta 17 years ago.

The oft-expressed fear, now apparently a fact that Communist forces are being replaced in Laos to carry on the fight in South Vietnam in which 8,000 American troops are now deeply involved should be sufficient to shake administration complacency. Obviously it is not.

I strongly believe that the net effect of this agreement on Laos will be the intensification of war in southeast Asia and a weakening of the confidence of free Asians in the value of close cooperation with the United States.

The provisions of article 14 of the declaration and protocol appear to confere a veto power on Communist Poland over the policies of the United States and all other signatory powers in relation to Laos. This, I regard as a nullification of the promises of the agreement.

I gravely disapprove of the procedure, presently being followed, which fails to submit the declaration and protocol to the U.S. Senate for ratification as a treaty.

The Congress and the country deserves a full and frank report from you on future American policy toward Laos. You will recall that President Kennedy, on March 23, 1961, told the American people, "If the Communists were to move in and dominate this country, it would endanger the security of all, and the peace of all southeast Asia, that quite obviously affects the security of the United States."

I would be interested in receiving from you a plausible explanation of what makes today any different from March 23, 1961.

Other specific questions to which I would respectfully request detailed replies would include the following:

1. On what tangible facts do you base the expectation, expressed in the declaration and protocol, that this agreement will "assist peaceful democratic development of the Kingdom of Laos" and "the strengthening of peace and security in southeast Asia"?

2. What provisions, contained in the declaration, prevent complete domination of Laos by the Communists?

3. Does the treaty specifically prohibit Communist troops presently in Laos from moving into South Vietnam?

4. How would the United States regard a veto by Poland? Would it be looked upon as a barrier to action by the non-Communist signatories of the declaration? Would it be a barrier to action in the event of a Communist takeover in Laos? Would it prevent action if the practice of dispatching Communist troops through Laos to Vietnam were continued?

5. What action would the Government of the United States take in the event of a violation of the treaty and in the face of a Polish veto on action?

It is my profound hope that you will draft an early reply to this letter, a reply that I and the American people can only hope will allay our fears about the present direction of administration policy in southeast Asia.

Sincerely yours,

AUGUST 10, 1962.

Hon. MELVIN R. LAIRD,
House of Representatives.

DEAR CONGRESSMAN LAIRD: The Secretary has asked me to reply to your letter of July 24 which raises a number of important questions about the recently concluded Geneva agreements. I am glad to have this additional opportunity to clarify our policy toward Laos and to answer your specific questions on the Geneva agreements.

We have considered, in close consultation with the congressional leadership of both parties, the various possible approaches to a settlement of the Laos question. Certainly the course of action that has been adopted is not without risk, but we believe that our present policy is the one most likely to further the national interest of the United States. That policy is to assure the maintenance of a peaceful, independent, and neutral Laos within the framework of the 1962 Geneva agreements.

I am enclosing a copy of the full texts of the agreements which were signed at Geneva. I think you will see upon a careful reading of them that, far from surrendering Laos to the Communists, the effect of these agreements is to prevent that from occurring. All the signatories at Geneva, including the Communists, have agreed to respect the sovereignty, independence, unity, neutrality, and territorial integrity of Laos. For its part, the United States fully intends to abide by its commitments under the agreements and to assist the Royal Government of Laos to maintain its independence. We will, of course, expect the other signatories likewise to live up to their undertakings. The latter aspect will be the real test of Communist intentions. If contrary to their commitments the Communists were, as President Kennedy said on March 23, 1961, "to move in and dominate this country, it would endanger the security of all, and the peace of all southeast Asia * * * that quite obviously affects the security of the United States." We continue to hold this view.

As one of the cochairmen of the Geneva Conference, the Soviet Union bears a particular responsibility to see that the Geneva agreements are properly implemented. It is written into the agreements that, "The cochairmen shall exercise supervision over the observance of this protocol and the declaration on the neutrality of Laos" (art. 8 of the protocol). In effect this means that the Soviet Union is responsible to see that the Communist countries, particularly Communist China and North Vietnam, live up to the agreements.

The Geneva agreements were concluded by the United States as an executive agreement. The President has adequate authority under the Constitution, by virtue of his power to conduct the foreign relations of the United States and as Commander in Chief, to enter into an executive agreement of this kind. No obligations created by the Geneva agreements on Laos in any way impinge on the constitutional powers or prerogatives of the Congress or of the States. While the formal advice and consent of the Senate has thus not been sought for these agreements this administration has as I stated earlier fully consulted with appropriate congressional committees and leaders on all aspects of the Lao situation.

With respect to the provisions of the agreements themselves, you raise in your letter the question of the interpretation of article 14 of the protocol relating to voting procedures of the International Control Commission. The general rule prescribed in that article in the second sentence of the second paragraph, is that decisions of the Commission shall be made by majority vote. To this general rule, specified exceptions are made in the first sentence of that paragraph to which the rule of unanimity applies: (a) "decisions" on questions relating to violations of certain articles, (b) "conclusions" on those major questions which are sent to the cochairmen, which it is felt, will be very limited in number; and (c) "recommendations" of the Commission. These exceptions should be viewed in the light of the provisions of article 15 of the protocol. That article provides that all de-